RNI No. MAHBIL /2009/31744
Reg. No. MCS/177/2016-18

महाराष्ट्र शासन राजपत्र

भाग एक–ल

वर्ष २, अंक ३०] गुरुवार ते बुधवार, जुलै २८-ऑगस्ट ३, २०१६/श्रावण ६-१२, शके १९३८ [पृष्ठे ४४, किंमत : रुपये २३.००

प्राधिकृत प्रकाशन

(केंद्रीय) औद्योगिक विवाद अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांखालील (भाग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना, आदेश व निवाडे यांव्यतिरिक्त) अधिसूचना, आदेश व निवाडे.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 12th July 2016

NOTIFICATION

BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) ACT, 1966.

No. BCA. 1015/C.R. 01/Lab-6.—In exercise of the powers conferred by clause (*c*) of section 2 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (32 of 1966) and in supersession of all previous notifications, issued by the Government in this behalf, the Government of Maharashtra hereby authorises the officers specified in column (2) of the Schedule appended hereto to perform the functions of a Competent Authority under section 4 of the said Act, in the areas respectively, specified against them in column (3) of the said Schedule.

Schedule

Sr. No.	Officers	Areas
(1)	(2)	(3)
1	Assistant Commissioner of Labour, Mumbai	All Assistant Commissioner of Labour to the extent of their respective areas in Mumbai City, Mumbai Suburban (East), Mumbai Suburban (West).
2	Assistant Commissioner of Labour, Thane	All Assistant Commissioner of Labour to the extent of their respective areas in Thane District.

Schedule

(1)	(2)	(3)
3	Assistant Commissioner of Labour, Kalyan	All Assistant Commissioner of Labour to the extent of their respective areas in Thane District.
4	Assistant Commissioner of Labour, Bhivandi	All Assistant Commissioner of Labour to the extent of their respective areas in Thane District.
5	Assistant Commissioner of Labour, (Tarapur) Palghar.	Palghar District.
6	Assistant Commissioner of Labour, Raigad	All Assistant Commissioner of Labour to the extent of their respective areas in Raigad District.
7	Assistant Commissioner of Labour, Ratnagiri	Ratnagiri and Sindhudurg District.
8	Assistant Commissioner of Labour, Pune	All Assistant Commissioner of Labour to the extent of their respective areas in Pune District.
9	Assistant Commissioner of Labour, Satara	Satara District.
10	Assistant Commissioner of Labour, Sangli	Sangli District.
11	Assistant Commissioner of Labour, Solapur	Solapur District.
12	Assistant Commissioner of Labour, Kolhapur	All Assistant Commissioner of Labour to the extent of their respective areas in Kolhapur District.
13	Assistant Commissioner of Labour, Ichalkaranji	All Assistant Commissioner of Labour to the extent of their respective areas in Kolhapur District.
14	Assistant Commissioner of Labour, Nagpur	All Assistant Commissioner of Labour to the extent of their respective areas in Nagpur and Wardha District.
15	Assistant Commissioner of Labour, Akola	Akola, Washim and Buldhana District.
16	Assistant Commissioner of Labour, Amravati	Amravati and Yavatmal District.

By order and in the name of the Governor of Maharashtra,

R. T. JADHAV,
Under Secretary to Government.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 12th July 2016

NOTIFICATION

BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) ACT, 1966.

No. BCA. 1015/C.R. 01/Lab-6.—In exercise of the powers conferred by section 5 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (32 of 1966) and in supersession of all previous notifications, issued by the Government in this behalf, the Government of Maharashtra hereby specifies the officers mentioned in column (2) of the Schedule appended hereto to be the appellate authority to whom appeals, against the decisions of refusing to grant or renew a licence or cancelling or suspending a licence of the Competent Authority specified against them in column (3) of the said Schedule shall lie.

Schedule

Sr. No. (1)	Appellate Officers (2)	Competent Authorities (3)
1	Additional Commissioner of Labour, Konkan Division.	Assistant Commissioner of Labour, Ratnagiri.
2	Deputy Commissioner of Labour, Mumbai City.	All Assistant Commissioner of Labour, Mumbai City.
3	Deputy Commissioner of Labour, Mumbai Suburban (East).	All Assistant Commissioner of Labour, Mumbai Suburban (East).
4	Deputy Commissioner of Labour, Mumbai Suburban (West).	All Assistant Commissioner of Labour, Mumbai Suburban (West).
5	Deputy Commissioner of Labour, Thane.	All Assistant Commissioner of Labour, Thane. Assistant Commissioner of Labour, Palghar (Tarapur). Assistant Commissioner of Labour, Kalyan. Assistant Commissioner of Labour, Bhivandi.
6	Deputy Commissioner of Labour, Palghar.	All Assistant Commissioner of Labour, Palghar.
7	Deputy Commissioner of Labour, Raigad.	All Assistant Commissioner of Labour, Raigad.
8	Additional Commissioner of Labour, Pune.	Assistant Commissioner of Labour, Satara. Assistant Commissioner of Labour, Sangli. Assistant Commissioner of Labour, Solapur. Assistant Commissioner of Labour, Kolhapur. Assistant Commissioner of Labour, Ichalkaranji.

Schedule

(1)	(2)	(3)
9	Deputy Commissioner of Labour, Pune	All Assistant Commissioner of Labour, Pune.
10	Additional Labour Commissioner, Nagpur	All Assistant Commissioner of Labour, Nagpur and Wardha District. Assistant Commissioner of Labour, Akola. Assistant Commissioner of Labour, Amravati. Assistant Commissioner of Labour, Bhandara. Assistant Commissioner of Labour, Gondia. Assistant Commissioner of Labour, Chandrapur.
11	Deputy Commissioner of Labour, Nashik	All Assistant Commissioner of Labour, Nashik. Assistant Commissioner of Labour, Jalgaon. Assistant Commissioner of Labour, Ahmadnagar.
12	Deputy Commissioner of Labour, Aurangabad	All Assistant Commissioner of Labour, Aurangabad. Assistant Commissioner of Labour, Nanded. Assistant Commissioner of Labour, Latur.

By order and in the name of the Governor of Maharashtra,

R. T. JADHAV,
Under Secretary to Government.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 12th July 2016.

NOTIFICATION

BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) ACT, 1966.

No. BCA. 1015/C.R. 01/Lab-6.—In exercise of the powers conferred by sub-section (*2*) of the section 6 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (32 of 1966) and in supersession of all previous notifications, issued by the Government in this behalf, the Government of Maharashtra hereby appoints the Deputy Commissioner of Labour (Rural Wing), Head Office, Mumbai to be the Chief Inspector for the purposes of the said Act.

By order and in the name of the Governor of Maharashtra,

R. T. JADHAV,
Under Secretary to Government.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. डी. एस. पुरोहित, सदस्य, औद्योगिक न्यायालय, कोल्हापूर यांचा दिनांक ९ जून २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३०८६. —श्री. डी. एस. पुरोहित, सदस्य, औद्योगिक न्यायालय, कोल्हापूर यांना त्यांच्या दिनांक ९ जून २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १४ जून २०१० ते २५ जून २०१० पर्यंत १२ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १२ जून २०१० व १३ जून २०१० व रजेच्या पुढे दिनांक २६ जून २०१० व २७ जून २०१० हे सुट्ट्यांचे दिवस मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. डी. एस. पुरोहित, हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, कोल्हापूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. डी. एस. पुरोहित, हे सदस्य, औद्योगिक न्यायालय, कोल्हापूर या पदावर स्थानापन्न होतील.

आदेशावरून,
का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १७ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्रीमती एस. एस. कुलकर्णी, सहायक प्रबंधक, औद्योगिक न्यायालय, नागपूर यांचा दिनांक १७ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३०८७. —श्रीमती एस. एस. कुलकर्णी, सहायक प्रबंधक, औद्योगिक न्यायालय, नागपूर यांना त्यांच्या दिनांक १७ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १९ जुलै २०१० ते २१ जुलै २०१० पर्यंत एकूण ३ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १८ जुलै २०१० हा सुट्टीचा दिवस जोडून मंजूर करण्यात आली आहे.

श्रीमती एस. एस. कुलकर्णी, ह्या रजेवर गेल्या नसत्या तर त्यांची सहायक प्रबंधक, औद्योगिक न्यायालय, नागपूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्रीमती एस. एस. कुलकर्णी, ह्या सहायक प्रबंधक, औद्योगिक न्यायालय, नागपूर या पदावर स्थानापन्न होतील.

आदेशावरून,
का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १७ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. बी. व्ही. झगडे, कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, ठाणे यांचा दिनांक १९ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१३०.—श्री. बी. व्ही. झगडे, कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, ठाणे यांना त्यांच्या दिनांक १९ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ५ जुलै २०१० ते १७ जुलै २०१० या १३ दिवसांची परिवर्तीत रजा, रजेच्या मागे दिनांक ४ जुलै २०१० व रजेच्या पुढे दिनांक १८ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मंजूर करण्यात आली आहे.

श्री. बी. व्ही. झगडे हे रजेवर गेले नसते तर त्यांची कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, ठाणे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. बी. व्ही. झगडे हे कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, ठाणे या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,

मुंबई, प्रभारी प्रबंधक,

दिनांक १८ ऑगस्ट २०१०. औद्योगिक न्यायालय, महाराष्ट्र ,मुंबई.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. व्ही. जी. रघुवंशी, न्यायाधीश, ९ वे कामगार न्यायालय, मुंबई यांचा दिनांक ९ एप्रिल २०१० व दिनांक ३० जुलै २०१० रोजीचे अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११०.—श्री. व्ही. जी. रघुवंशी, न्यायाधीश, ९ वे कामगार न्यायालय, मुंबई यांना त्यांच्या दिनांक ९ एप्रिल २०१० व दिनांक ३० जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १२ एप्रिल २०१० ते दिनांक १४ एप्रिल २०१० पर्यंत एकूण ३ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १० एप्रिल २०१० व दिनांक ११ एप्रिल २०१० हे सुटट्यांचे दिवस जोडून मंजूर करण्यात आली आहे.

श्री. व्ही. जी. रघुवंशी, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ९ वे कामगार न्यायालय, मुंबई या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. व्ही. जी. रघुवंशी, हे न्यायाधीश, ९ वे कामगार न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,

मुंबई, प्रभारी प्रबंधक,

दिनांक १८ ऑगस्ट २०१०. औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. डी. एस. पुरोहित, सदस्य, औद्योगिक न्यायालय, कोल्हापूर यांचा दिनांक १३ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१११. —श्री. डी. एस. पुरोहित, सदस्य, औद्योगिक न्यायालय, कोल्हापूर यांना त्यांच्या दिनांक १३ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १३ जुलै २०१० ते १७ जुलै २०१० पर्यंत ५ दिवसांची परिवर्तीत रजा, रजेच्या पुढे दिनांक १८ जुलै २०१० हा सुट्टीचा दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. डी. एस. पुरोहित, हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, कोल्हापूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. डी. एस. पुरोहित, हे सदस्य, औद्योगिक न्यायालय, कोल्हापूर या पदावर स्थानापन्न होतील.

आदेशावरून,
का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्रीमती के. एस. होरे, न्यायाधीश, कामगार न्यायालय, अकोला यांचा दिनांक २२ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११२.—श्रीमती के. एस. होरे, न्यायाधीश, कामगार न्यायालय, अकोला यांना त्यांच्या दिनांक २२ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २६ जुलै २०१० ते २८ जुलै २०१० पर्यंत ३ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक २४ जुलै २०१० व दिनांक २५ जुलै २०१० च्या सुट्ट्या जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्रीमती के. एस. होरे, ह्या रजेवर गेल्या नसत्या तर त्यांची न्यायाधीश, कामगार न्यायालय, अकोला या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्रीमती के. एस. होरे, ह्या न्यायाधीश, कामगार न्यायालय, अकोला या पदावर स्थानापन्न होतील.

आदेशावरून,
का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. व्ही. व्ही. विद्वांस, न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर यांचा दिनांक १९ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११३.—श्री. व्ही. व्ही. विद्वांस, न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर यांना त्यांच्या दिनांक १९ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २६ जुलै २०१० ते दिनांक ३१ जुलै २०१० पर्यंत एकूण ६ दिवसांची अर्जित रजा व रजेच्या मागे दिनांक २४ जुलै २०१० व दिनांक २५ जुलै २०१० व रजेच्या पुढे दिनांक १ ऑगस्ट २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्री. व्ही. व्ही. विद्वांस, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. व्ही. व्ही. विद्वांस, हे न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्रीमती पी. एन. नायर, न्यायाधीश, ११ वे कामगार न्यायालय, मुंबई यांचा दिनांक २६ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११४.—श्रीमती पी. एन. नायर, न्यायाधीश, ११ वे कामगार न्यायालय, मुंबई यांना त्यांच्या दिनांक २६ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १९ जुलै २०१० ते दिनांक २३ जुलै २०१० पर्यंत ५ दिवसांची परिवर्तीत रजा, रजेच्या मागे दिनांक १८ जुलै २०१० व रजेच्या पुढे दिनांक २४ जुलै २०१० व २५ जुलै २०१० च्या सुट्ट्या जोडून मंजूर करण्यात येत आहे.

श्रीमती पी. एन. नायर, ह्या रजेवर गेल्या नसत्या तर त्यांची न्यायाधीश, ११ वे कामगार न्यायालय, मुंबई, या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्रीमती पी. एन. नायर, ह्या न्यायाधीश, ११ वे कामगार न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. एम. एस. बोधनकर, न्यायाधीश, कामगार न्यायालय, पुणे यांचा दिनांक १७ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११५.—श्री. एम. एस. बोधनकर, न्यायाधीश, १ ले कामगार न्यायालय, पुणे यांना त्यांच्या दिनांक १७ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २६ जुलै २०१० ते दिनांक २८ जुलै २०१० पर्यंत ३ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक २४ जुलै २०१० व दिनांक २५ जुलै २०१० च्या सुट्ट्या जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्री. एम. एस. बोधनकर हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, पुणे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. एम. एस. बोधनकर हे न्यायाधीश, १ ले कामगार न्यायालय, पुणे या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. ए. एस. काझी, न्यायाधीश, कामगार न्यायालय, सांगली यांचा दिनांक १२ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११६.—श्री. ए. एस. काझी, न्यायाधीश, कामगार न्यायालय, सांगली यांना त्यांच्या दिनांक १२ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ८ जुलै २०१० ते दिनांक ९ जुलै २०१० पर्यंत एकूण २ दिवसांची परिवर्तीत रजा रजेच्या पुढे दिनांक १० जुलै २०१० व दिनांक ११ जुलै २०१० च्या सुट्ट्या जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. ए. एस. काझी हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, सांगली या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. ए. एस. काझी हे न्यायाधीश, कामगार न्यायालय, सांगली या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. आर. एम. पांडे, न्यायाधीश, ३ रे कामगार न्यायालय, पुणे यांचा दिनांक १२ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११८. —श्री. आर. एम. पांडे, न्यायाधीश, ३ रे कामगार न्यायालय, पुणे यांना त्यांच्या दिनांक १२ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १३ जुलै २०१० ते दिनांक १५ जुलै २०१० पर्यंत एकूण ३ दिवसांची अर्जित रजा मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. आर. एम. पांडे हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ३ रे कामगार न्यायालय, पुणे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. आर. एम. पांडे हे न्यायाधीश, ३ रे कामगार न्यायालय, पुणे या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला यांचा दिनांक २६ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३११९. —श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला यांना त्यांच्या दिनांक २६ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २७ जुलै २०१० ते दिनांक ३१ जुलै २०१० पर्यंत एकूण ५ दिवसांची अर्जित रजा, रजेच्या पुढे दिनांक १ ऑगस्ट २०१० ची सुट्टी जोडून मंजूर करण्यात आली आहे.

श्री. के. डब्ल्यु. ठाकरे, हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, अकोला या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. के. डब्ल्यु. ठाकरे, हे सदस्य, औद्योगिक न्यायालय, अकोला या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्रीमती एस. डी. मनवार, सदस्य, औद्योगिक न्यायालय, जालना यांचा दिनांक २६ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२१.—श्रीमती एस. डी. मनवार, सदस्य, औद्योगिक न्यायालय, जालना यांना त्यांच्या दिनांक २६ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १२ जुलै २०१० ते दिनांक २३ जुलै २०१० पर्यंत एकूण १२ दिवसांची परिवर्तित रजा, रजेच्या मागे दिनांक १० जुलै २०१० व दिनांक ११ जुलै २०१० व रजेच्या पुढे दिनांक २४ जुलै २०१० व दिनांक २५ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्रीमती एस. डी. मनवार, ह्या रजेवर गेल्या नसत्या तर त्यांची सदस्य, औद्योगिक न्यायालय, जालना या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्रीमती एस. डी. मनवार, सदस्य, औद्योगिक न्यायालय, जालना या पदावर स्थानापन्न होतील.

आदेशावरून,

का. ना. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. व्ही. पी. आव्हाड, न्यायाधीश, ७ वे कामगार न्यायालय, मुंबई यांचा दिनांक १७ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२४. —श्री. व्ही. पी. आव्हाड, न्यायाधीश, ७ वे कामगार न्यायालय, मुंबई यांना त्यांच्या दिनांक १७ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १४ जुलै २०१० ते १६ जुलै २०१० या ३ दिवसांची अर्जित रजा, मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. व्ही. पी. आव्हाड हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ७ वे कामगार न्यायालय, मुंबई या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. व्ही. पी. आव्हाड हे न्यायाधीश, ७ वे कामगार न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. व्ही. डब्ल्यु. सोनावणे, न्यायाधीश, १० वे कामगार न्यायालय, मुंबई यांचा दिनांक १६ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२५. —श्री. व्ही. डब्ल्यु. सोनावणे, न्यायाधीश, १० वे कामगार न्यायालय, मुंबई यांना त्यांच्या दिनांक १६ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १३ जुलै २०१० ते २३ जुलै २०१० या ११ दिवसांची अर्जित रजा, रजेच्या पुढे दिनांक २४ जुलै २०१० व दिनांक २५ जुलै २०१० हे सुट्ट्याचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. व्ही. डब्ल्यु. सोनावणे हे रजेवर गेले नसते तर त्यांची न्यायाधीश, १० वे कामगार न्यायालय, मुंबई या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. व्ही. डब्ल्यु. सोनावणे हे न्यायाधीश, १० वे कामगार न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. एस. व्ही. पाटील, सदस्य, औद्योगिक न्यायालय, लातूर यांचा दिनांक १३ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२६. —श्री. एस. व्ही. पाटील, सदस्य, औद्योगिक न्यायालय, लातूर यांना त्यांच्या दिनांक १३ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १९ जुलै २०१० ते २३ जुलै २०१० पर्यंत ५ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १८ जुलै २०१० व रजेच्या पुढे दिनांक २४ जुलै २०१० व २५ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. एस. व्ही. पाटील हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, लातूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. एस. व्ही. पाटील हे सदस्य, औद्योगिक न्यायालय, लातूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. पी. जे. मोडक, न्यायाधीश, कामगार न्यायालय, चंद्रपूर यांचा दिनांक १३ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२७.—श्री. पी. जे. मोडक, न्यायाधीश, कामगार न्यायालय, चंद्रपूर यांना त्यांच्या दिनांक १३ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २१ जुलै २०१० ते दिनांक २३ जुलै २०१० पर्यंत ३ दिवसांची अर्जित रजा, रजेच्या पुढे दिनांक २४ जुलै २०१० व दिनांक २५ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. पी. जे. मोडक हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, चंद्रपूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. पी. जे. मोडक हे न्यायाधीश, कामगार न्यायालय, चंद्रपूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—(१) या कार्यालयाचे आदेश क्रमांक २६३७, दिनांक १४ जुलै २०१०.

(२) श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला यांचा दिनांक १९ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२८. —श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला यांना त्यांच्या दिनांक १९ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १८ जुलै २०१० ते २३ जुलै २०१० पर्यंत ६ दिवसांची वाढीव अर्जित रजा, रजेच्या पुढे दिनांक २४ जुलै २०१० व २५ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. के. डब्ल्यु. ठाकरे हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, अकोला या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. के. डब्ल्यु. ठाकरे हे सदस्य, औद्योगिक न्यायालय, अकोला या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. ए. पी. ढोले, कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, मुंबई यांचा दिनांक १९ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१२९.—श्री. ए. पी. ढोले, कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, मुंबई यांना त्यांच्या दिनांक १९ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १४ जुलै २०१० ते १७ जुलै २०१० पर्यंत ४ दिवसांची परिवर्तीत रजा, रजेच्या पुढे दिनांक १८ जुलै २०१० हा सुट्टीचा दिवस जोडून मंजूर करण्यात येत आहे.

श्री. ए. पी. ढोले हे रजेवर गेले नसते तर त्यांची कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, मुंबई या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. ए. पी. ढोले हे कनिष्ठ अन्वेषक अधिकारी, औद्योगिक न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र ,मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. जी. एल. मसंद, न्यायाधीश, कामगार न्यायालय, धुळे यांचा दिनांक १५ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१३१.—श्री. जी. एल. मसंद, न्यायाधीश, कामगार न्यायालय, धुळे यांना त्यांच्या दिनांक १५ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १६ जुलै २०१० ते दिनांक २० जुलै २०१० पर्यंत ५ दिवसांची अर्जित रजा, मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. जी. एल. मसंद हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, धुळे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. जी. एल. मसंद हे न्यायाधीश, कामगार न्यायालय, धुळे या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— (१) या कार्यालयाचे आदेश क्रमांक २४७३, दिनांक २ जुलै २०१०.

(२) श्री. जी. जी. भालचंद्र, न्यायाधीश, ३ रे कामगार न्यायालय, ठाणे यांचा दिनांक ३ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१३२.— श्री. जी. जी. भालचंद्र, न्यायाधीश, ३ रे कामगार न्यायालय, ठाणे यांना त्यांच्या दिनांक ३ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १ जुलै २०१० ते ७ जुलै २०१० पर्यंत ७ दिवसांची वाढीव अर्जित रजा मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. जी. जी. भालचंद्र, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ३ रे कामगार न्यायालय, ठाणे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. जी. जी. भालचंद्र, हे न्यायाधीश, ३ रे कामगार न्यायालय, ठाणे या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र ,मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— (१) या कार्यालयाचे आदेश क्रमांक २५७७, दिनांक ८ जुलै २०१०.

(२) श्री. व्ही. व्ही. विद्वांस, न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर यांचा दिनांक २८ जून २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१३३.— श्री. व्ही. व्ही. विद्वांस, न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर यांना त्यांच्या दिनांक २८ जून २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २० जून २०१० ते दिनांक २५ जून २०१० पर्यंत ६ दिवसांची वाढीव अर्जित रजा, रजेच्या पुढे दिनांक २६ जून २०१० व २७ जून २०१० हे सुटट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. व्ही. व्ही. विद्वांस, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. व्ही. व्ही. विद्वांस, हे न्यायाधीश, १ ले कामगार न्यायालय, अहमदनगर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. आर. एम. पांडे, न्यायाधीश, ३ रे कामगार न्यायालय, पुणे यांचा दिनांक २९ जून २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१३४.— श्री. आर. एम. पांडे, न्यायाधीश, ३ रे कामगार न्यायालय, पुणे यांच्या दिनांक २९ जून २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १ जुलै २०१० ते ३ जुलै २०१० पर्यंत ३ दिवसांची अर्जित रजा, रजेच्या पुढे दिनांक ४ जुलै २०१० हा सुट्टीचा दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. आर. एम. पांडे हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ३ रे कामगार न्यायालय, पुणे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. आर. एम. पांडे हे न्यायाधीश, ३ रे कामगार न्यायालय, पुणे या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. एस. बी. पांडे, न्यायाधीश, कामगार न्यायालय, औरंगाबाद यांचा दिनांक ५ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१४२.— श्री. एस. बी. पांडे, न्यायाधीश, कामगार न्यायालय, औरंगाबाद यांना त्यांच्या दिनांक ५ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २८ जून २०१० ते ३ जुलै २०१० पर्यंत ६ दिवसांची परिवर्तित रजा, रजेच्या मागे दिनांक २६ जून २०१० व २७ जून २०१० व रजेच्या पुढे दिनांक ४ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. एस. बी. पांडे हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, औरंगाबाद या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. एस. बी. पांडे हे न्यायाधीश, कामगार न्यायालय, औरंगाबाद या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक २० ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. डी. आर. ढाले, न्यायाधीश, १ ले कामगार न्यायालय, नागपूर यांचा दिनांक ५ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१४३.— श्री. डी. आर. ढाले, न्यायाधीश, १ ले कामगार न्यायालय, नागपूर यांना त्यांच्या दिनांक ५ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १९ जुलै २०१० ते २१ जुलै २०१० पर्यंत ३ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १८ जुलै २०१० हा सुट्टीचा दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. डी. आर. ढाले हे रजेवर गेले नसते तर त्यांची न्यायाधीश, १ ले कामगार न्यायालय, नागपूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. डी. आर. ढाले हे न्यायाधीश, १ ले कामगार न्यायालय, नागपूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक २० ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. आर. एस घाटपांडे, न्यायाधीश, कामगार न्यायालय, जालना यांचा दिनांक ८ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१४४.— श्री. आर. एस घाटपांडे, न्यायाधीश, कामगार न्यायालय, जालना यांना त्यांच्या दिनांक ८ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १२ जुलै २०१० ते १७ जुलै २०१० पर्यंत ६ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १० जुलै २०१० व ११ जुलै २०१० व रजेच्या पुढे दिनांक १८ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. आर. एस घाटपांडे, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, जालना या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. आर. एस घाटपांडे, हे न्यायाधीश, कामगार न्यायालय, जालना या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक २० ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. आर. बी. चोरघे, न्यायाधीश, २ रे कामगार न्यायालय, नागपूर यांचा दिनांक ५ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१४५.— श्री. आर. बी. चोरघे, न्यायाधीश, २ रे कामगार न्यायालय, नागपूर यांना त्यांच्या दिनांक ५ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १२ जुलै २०१० ते १७ जुलै २०१० पर्यंत ६ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक १० जुलै २०१० व ११ जुलै २०१० व रजेच्या पुढे दिनांक १८ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. आर. बी. चोरघे हे रजेवर गेले नसते तर त्यांची न्यायाधीश, २ रे कामगार न्यायालय, नागपूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. आर. बी. चोरघे हे न्यायाधीश, २ रे कामगार न्यायालय, नागपूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक २० ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. जी. बी. पाटील, न्यायाधीश, २ रे कामगार न्यायालय, कोल्हापूर यांचा दिनांक १२ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१४६.— श्री. जी. बी. पाटील, न्यायाधीश, २ रे कामगार न्यायालय, कोल्हापूर यांना त्यांच्या दिनांक १२ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १२ जुलै २०१० ते १४ जुलै २०१० पर्यंत ३ दिवसांची परिवर्तित रजा, रजेच्या मागे दिनांक १० जुलै २०१० व ११ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. जी. बी. पाटील हे रजेवर गेले नसते तर त्यांची न्यायाधीश, २ रे कामगार न्यायालय, कोल्हापूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. जी. बी. पाटील हे न्यायाधीश, २ रे कामगार न्यायालय, कोल्हापूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक २० ऑगस्ट २०१०.

IN THE INDUSTRIAL COURT, MAHARASHTRA, AT MUMBAI

BEFORE SHRI R. B. MALIK, PRESIDENT, INDUSTRIAL COURT
MAHARASHTRA AT MUMBAI

COMPLAINT (ULP) No. 311/2006.— Shri Vijay Anant Nagaonkar, Municipal Colony, Chawl No. 9, Room No. 97, Dr. E. Moses Road, Opp. Geeta Talkies, Worli, Mumbai 400 018— *Complainant.*— *Versus* (1) Municipal Corporation of Greater Mumbai, (2) Shri Johny Joseph or his successor Municipal Commissioner, (3) Shri Vijaysingh Patankar or his successors Additional Municipal Commissioner (E/S), Having office at Municipal Head Officer, Mahapalika Marg, Mumbai 400 001, (4) Dr. S. G. Damle, Jt. Municipal Commissioner (M.E.and H.) Nair Dental College, Mumbai Central, Mumbai 400 008,(5) Dr. Jayraj G. Thanekar or his successor, Executive Health Officer, F/South Ward Office, Mahapalika Office Building, Parel, Mumbai 400 012.— *Respondents.*

In the matter of Complaint of unfair labour practices under items 9 and 3 of Sch. IV of the MRTU and PULP Act, 1971.

CORAM.— R. B. Malik, President,

Appearances.— Shri C. Corieia, Advocate for the Complainant,

Shri S. S. Pathak, Advocates for the Respondents.

Oral Judgement

(Dated the 9th August 2010)

1. This is a Company by an employee being a Dog Catcher in the Municipal Corporation of Gr. Mumbai alleging unfair labour practice in the matter of punishment after departmental enquiry and about transfer.

2. The Complainant is an employee and the Respondents are the employers. For the sake of facility, the employers will be described as "BMC". The Complainant has been working as what is known as "Dog Catcher". He came to be placed under suspension by an Order dated Nil-HO/ 19366/ESTT/IV received by him on 18th August 2005 and was suspended from the next day. According to him, the said suspension was unwarranted if one went by the memo of departmental enquiries and the circulars issued by the Respondents. A charge-sheet came to be issued alleging *inter alia* that he had assaulted a Junior Overseer Shri Sharad Babu Dabholkar and was found in an inebriated condition while on duty. He has sought to pick several holes in the conduct of the departmental enquiry in the Complaint. The penalty inflicted was according to him triple one *viz.* stopping one increment with permenant effect, the suspension having been uncondoned and his transfer elsewhere. He, therefore, has sought declaration and further prayer that the memo dated 18th February 2006 be withdrawn.

3. Dr. Ashok Jyotiba Rasalkar, Asst. Health Officer of the BMC filed an affidavit-in-reply which was subequently treated as Written Statement. All the adverse allegations to be denied and it was asserted that the enquiry was held in a proper and legal manner.

4. My Ld. Predecessor Shri M. T. Joshi framed issues at Exh. O-3 on 1st April 2001, which are noted down below together with my finding and reasons thereon :—

Issues	*Findings*
(1) Whether the Respondents have committed an unfair labour practice in conduct of the departmental enquiry and awarding triple punishment of suspenssion, of stop-page of one increment and of transfer of the Complainant in breach of any settlement, agreement or award ?	In effect-Yes

(2) Whether the Complainant was tranfered by the Respondents malafide under the guise of following management policy ?	No.
(3) Whether the Respondents have committed any unfair labour practice, as enumerated in item 3 or item 9 of Schedule IV of the MRTU and PULP Act ?	Yes as herein indicated under item 9
(3) What order and relief ?	The Complaint partly succeeds. See the Order made below.

Reasons

5. As to Issue Nos. 1 to 4.—The Complainant examined himself. The Respondents did not lead positive evidence and sought to rely on the cross-examination of the Complainant. It is an indisputable factual position that there is employer-employee relationship interpartes. The Complainant has been working as what is caled "Dog Catcher" for the last more than 20 years. The reord would show that it was alleged that on 1st July 2005 at 7 a.m. the Complainant assaulted Shri Sharad Babu Dabholkar, an Assistant Overseer with a metal object and at that time the Complainant was in an inebriated condition. Further when he was told to get himself medically examined at Nair Hospital, he declined to do so. He was provently placed under suspension and a charge-sheet came to be issued on 7th November 2005. The Order of suspension is at Exhibit U-16 and the charge-sheet is at Echibit U-17. The allegations about the assault, about being in an inbriated condition and about he having declined to get himself madically exmined were made in the charge-sheet. The enquiry went underway and by an Order, a copy of which is at Exhibit U-21, dated 2nd May 2006 made by the Deputy Executive Health Officer (Estt.1) the charges were held proved on the basis of the documentary evidence and the statements. It was directed that the Complainant would be reinstated, the period of suspension would not be condoned, the one yearly increment would be temporarily withheld and that he would transferred.

6. Before proceeding further it would be appropriate to read the cross-examination of the Complainant by Shri S. S. Pathak, the Ld. Advocate for the BMC. The Complainant admitted to have been served with the Order of suspension and further that he was getting subsistence allowance during the period of suspension. He also admitted to have received the charge-sheet Exhibit U-17. He however, denied that he did not reply thereto. Now the record would show that at the stage of evidence he did file on record Exhibit U-18 dated 1st February 2006 which was apparently handed over in the Office of the BMC on that very day. However various relevant dates have been already mentioned hereinabove. The same would make it quite clear that this reply was not strictly to the charge-sheet. It must have been submitted at a point of time close to the enquiry because the final Orders were made on 3rd may 2006. It is not necessary for me to read the said reply in detail and it would suffice to mention that it makes serious allegations against the said Shri Dabholkar. As the discussion progresses, it would become quite clear that it is not quite germane herefor to set out the details of the said reply.

7. In the cross-examination the Complainant admitted that he was asked to submit himself for medical examination on 1st July 2005, but denied that he did not comply therewith. Infact he voluntarily made a statement while deposing before me the police arrested him and took him to the police station for medical examination. he denied all the allegation of assault and those allegations that formed the subject matter of the charge-sheet. He admitted to have received the enquiry papers. There was cross-examination on an alleged assault onsome other employee, which in my view, is not necessary to be gone into herein. He admitted that the Municipal Service Rules were applicable to him. He admitted that he had approached for consent transfer and accordingly

he was transferred to Parel. He admitted that on 28th March 2008 from Parel he was transferred to Andheri which was not a punitive transfer. He admitted that in the present matter his one increment was stopped. he admitted that he was never pressurized by the establishment of the Respondent and before recording this particular statement I satisfied myself that he understood the question and I have clearly noted it in the evidence. He admitted that he continued to be in service. He concluded by mentioned that he was not keeping well eversince his posting at the cremation ground one and half years ago.

8. Before I take up further the enquiry aspect of the matter, I think there has been a district hue introduced to this case by the Cpmplainant with regrd to the transfer aspect of the matter in trying to bring his case within the office of item 3 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 ("Act" hereinafter). Now the evidence makes it very clear that outside the confines of the departmental enquiry hereto relevant, the transfer aspect of the matter cannot be held for the Complainant. On his showing, the transfer was a consent transfer to begin with and another transfer from Parel to Andheri was not a punitive transfer and it appears that at the moment he is posted in or around some cremation ground which is not a place of his liking. But then who would like it. ? The point remains that working on the first principles, transfer is an incidence of service and absent the vitiating circumstances, the discretion of the employer to effect the transfers cannot be lightly and in good humour be judicially trifled with. That would be more so when on his own showing the transfers have been by consent or without there being any stigme for the same was not a punitive action. That being the state of affairs, Iam very clearly of the view that neither any declaration nor any remedial mendate are called for in so far as the transfer aspect of the matter outside the scope of the charge-sheet is concerned. That aspect of the Complaint needs to be and is hereby rejected.

9. I would now proceed further. It may be recalled that the allegations based whereupon the Complainant was initially suspended and then departmentally proceeded against and punished have already been set out hereinabove. But in order to have a proper grasp and focus on the enquiry aspect of the matter, it would be most adevantageous to straight away refer to the case law, which one is aware of in two unreported decisions of our Hon'ble High Court in the matter of *Municipal Corporation of Gr. Mumbai and others* v/s. *Shri Rakesh Uttam More and anr.-Writ Petition No. 2661 of 2009 dated 20th April 2009 (Coram : His Lordhsip Hon'ble Mr. Justice V. M. Kanade)* and *Shri Sitaram Tukaram Walunj v/s. Municipal Corporation of Greater Mumbai-Writ Petition No. 8711 of 2007 dated 15th April 2008 (Coram : His Lordship Hon'ble Justice Dr.D. Y. Chandrachud).* and in two reported judgments viz *Pyarelal v/s. The Municipal Council, Ramtak and anr. -1992 I CLR 327 (Bom.). The Municipal Corporation of Greater Bombay and anr. v/s. Laxman Saidoo Timmanapyati and ors. -1991 I CLR 653(Bom.),* wherein it has been clearly held that in the matter such as this one involving the employees of the BMC, the provisions of Industrial Disputes (Standing Orders) Act, 1946 would be applicable and they would override the provisions of the Municipal Rules, if any. Para 6 of Sitaram Walunj's case (supra) infact needs to be reporduced.

> "6. Having regard to the line of precedent on the subject,there is no manner of doubt that as between the Municipal Act and Industrial Employment (Standing Orders) Act, 1946, the latter will have to prevail in relation to the conditions of service of those workmen governed by the latter Act. The Model Standing Orders which are applicable to the clerical workmen *inter alia* provide for the imposition of penalty for misconduct. Model Standing Order 32(*1*) provides for the following penalties *viz*., : (*i*) a warning or censure ; (*ii*) a fine subject to the provisions of the payment of Wages Act, 1936 ; (*iii*) suspension not exceeding four days ; and (*iv*) dismissal without notice. Similarly. Model Standing Order 24 provides that the workmen may be warned, censured or fined for certain specified acts or omissions, amongst them being negligence in the performance of duties or neglect of work. Stoppage of increments is not one

of the penalties provided therein. That being the position, there is merit in the submission urged on behalf of the petitioner that is was not open to the Municipal Corporation to impose a penalty not contemplated by the Model Standing Order. The Industrial Court has manifestly erred in holding that the penalty of a fine cpmprehends witholding of increments. Imposition of a fine as penalty is clearly district from withholding of an increment and the two cannot be equated. Similarly, there is no warrant for the Industrial Court to hold that a Complaint under Maharashtra Recognition of Trade Unions and Unfair labour Practices Act 1971 would not be maintainable. The Model Standing Orders are part of every contract of employment. A breach of the Model Standing Orders will, therefore, amount to a breach of item 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971."

It is, therefore very clear that the provisions of the Model Standing Orders are applicable and therein the penalty of what can be described as punitive suspension which is what the Order in the enquiry resulted in as well as the witholding of increment cannot be inflicted. The above extract from the judgment of our Hon'ble High Court would make it very clear. This is also reflected from Rules 25 of the Bombay Industrial Employment (Standing Orders) Rules, 1959 that the proved misconduct was punishable only by warning of censure, fine, suspension for a period not exceeding four days or dismissal without notice. No other punishment can be inflicted. It is, therefore, very clear that the result of the enquiry herein suffered from an incurable vice of having inflicted the punishment which was not prescribed by law.

10. Mr. Pathak, the Ld. Advocate for the BMC, however, strongly contended that in view of the yield of the cross-examination of the Complainant, it is very clear that on material particulars forming the bedrock of the enquiry, the Complainant had nothing to offer except admissions. He obviously also relied upon the "admission" about the application of the Municipal Rules to the Complainant. Mr. Pathak told me that if the dismissal is a penalty for a serious misconduct like having been found drunk and having assaulted a superior personnel, then the comparatively minor punishment of temporary withholding of one increment and suspension should be held to be a valid exercise of administrative powers, which must be immune from the judical intervention in a Complaint which essentially is a judicial review of administrative action. Mr. Pathak also made submissions with regard to the transfer aspect of the matter outside the purview of the charge-sheet. That aspect of the matter has infact for all practical purposes been held for him already.

11. Now as far as the submissions of Mr. Pathak summarized in the preceeding paragraph, I find that the mandate of law is too strong in the matters of law to be displaced by an admission by a lay person like the present Complainant. Therefore whatever the Complainant might say about the application of the municipal rules, etc. can certainly not prevail over the legal position such as it is. It is infact very clear that the binding case-law above referred to is a complete answer to all the submissions of Mr. Pathak, the Ld. Advocate for the BMC.

12. It is undoubtedly true that in as much as for all practical purposes since the enquiry and punishment were non-est, BMC can still hold a fresh enquiry if so advised, but I must hasten to add that this is not my direction, but regardless of whatever they do in future if at all they did as far as the present matter is concerned, their action of having inflicted the punishment not prescribed by law can quite certainly not be supported. If this was so, then it would be no answer to this legal requirement that the Complainant may have admitted to have been issued charge-sheet, having faced the enquiry and having also been arrested, etc. The mandatory requirement is that a punishment that is meted out must smoothly flow from the facts justifying it and the law sanctioning it.

13. Mr. Pathak also contended that for all practical purposes the Complainant infact did not challenge the departmental enquiry and in support of that contention he invited reference to the prayer clause. It has been therein prayed that a declaration be made that the Respondents engaged in unfair labour practice under items 3 and 9 of Schedule IV of the Act and to direct then to withdraw the memo dated 18th February 2006 and of course the mandatory residual clause of any other relief. Mr. Pathak told me that the memo dated 18th February 2006 has not been annexed with the Complaint.

14. Now it is no doubt true that the prayer clause in the Complaint is what has been summarized just now. However, it will be necessary, in my view, to read the contents of the Complaint as well. It has been averred in paras 3(e) and (f) that he came to be suspended and has assailed the said Order. In para 3(g), the facts are set out with regard to the receipt of the charge- sheet. It is also set out therein as to what all were the allegations and as to how they were baseless. In paras 3(*1*) to (p), the caonduct of the enquiry is assailed in various ways and at a few places there are repetitions. In para 3(q), infact it is averred that the Complainant was governed by Model Standing Orders and that the punishment was not in accordance therewith. In para 3(r) there is a reference to the punishment awarded which aspect of the matter has been dealt with hereinabove and then there are allegations that the act of the BMC amounted to victimization.

15. It is, therefore, very clear that the facts are pleaded which regardless of the Ultimate outcome for the reason predominantly based on law point apart, quite clearly make out a case for the question mark on the departmental enquiry. The prayer clause in my view will have to be read in the light of these facts. may be the prayer clause could have been more precise, than what it is, but then in this branch of law, strict technicalities of pleadings do not apply and the purposive aspect is to advance justice rather than insisting on technicalities. It is no doubt true that in considering the prayers, no undue liberty can be taken with the facts spelt out by the body of the Complaint, but then the Court can also not take an unduly narrow and right view of the prayed clauses by themselves, I am, therefore, quite clearly of the view that the Complaint in whichever way it was phrased did spell out clearly a case to challenge the conduct of the departmental enquiry and therefore if it was found ultimately that the same did not survive the test of law laid down by the binding case law, then in my view, it is not even open to me to construe the prayer clause or the complaint in the manner canvassed by Mr. Pathak.

16. That infact is a test. The question to ask is as to whether in construing the Complaint and even prayer clause, it is even open to me to produce a result which would be contrary to what the binding case-law mandates. The answer is axiomatic.

17. It is, therefore, very clear that despite all the persuasive submissions of Mr. Pathak, the enquiry will have to be scrutinized and ultimately for all practical purposes struck down. If that were to happen, then of course the net result would be that the loss of money arising out of the withholding of one increment will have to be paid to the Complainant and it will have to be made clear that necessary entries in that behalf will have to be made in the service record. As far as the emoluments during the period of suspension, the evidence shows that he got subsistence allowance of 50 percent. Now even the balance of 50 percent will be payable because of the reasons above set out. I must repeat that although it may be open to the respondents to proceed agaist the Complainant again if so advised, which is not my direction, but as of now there is no other go, but to effectuate this Orders.

18. Before I conclude, I may also deal with one submission of Mr. Correla, the Ld. Advocate of the Complainant. According to him the Respondents did not lead oral evidence and therefore adverse inference must be drawn against them. Now in my view the failure of the respondents in this respect is because of the fact that the enquiry officers conducted themselves in ignorance of the basic principles of law which is somewhat surprising as well. They should be personnel of quite some standing and I thought they should be aware of the requirements of law. However, as far as the facts are concerned, it was perfectly open to the respondents to rely on the cross-examination of their adversary and therefore I do not think the question of adverse inference is of that much significance in this particular matter. Here the reasons why the Respondents have in the manner of speaking failed has already been indicated herein above and in that view of the matter there was hardly anything that could have been salvaged by them by any amount of positive evidence.

19. The upshot is that Complaint must partly succeed in so far as departmental enquiry is concerned. It fails in so far as transfer aspect of the matter outside the charge-sheet herein relevant is concerned. It will have to be directed that the respondents must make good the financial loss accruing to the Complainant by withholding of one yearly increment and they will have to take the necessary entry in the service record. Further the balance of what was payable to him during the period of suspension and what was actually paid to him by way of subsistence allowance will also have to be paid to him. The issues are found accordingly and the Order follows :—

Order

(*i*) It is hereby declared that the Respondent BMC have indulged in unfair labour practice under item 9 of Schedule IV of the Act by having inflicted the punishment by the Order herein impugned of stopping of one yearly increment and not condoning the period of suspension. The Respondents are directed to effectively refrain therefrom and act in accordance herewith as per the directions given in the concluding paragraph hereinabove.

(*ii*) The Complaint fails in so far as transfer aspect of the matter outside the charge-sheet herein relevant is concerned.

(*iii*) The Complaint is thus partly allowed with no order as to cost.

R. B. MALIK,
President,
Industrial Court, Maharashtra, Mumbai.

Mumbai,
dated the 9th August 2010.

K. N. DHARMADHIKARI,
I/c. Registrar,
Industrial Court, Maharashtra, Mumbai,
dated the 11th August 2010.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— (१) या कार्यालयाचे आदेश क्रमांक २५८०, दिनांक ८ जुलै २०१०.

(२) श्री. ए. ए. सईद, न्यायाधीश, ४ थे कामगार न्यायालय, ठाणे यांचा दिनांक १४ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१३५.—श्री. ए. ए. सईद, न्यायाधीश, ४ थे कामगार न्यायालय, ठाणे यांना त्यांच्या दिनांक १४ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ४ जुलै २०१० ते ९ जुलै २०१० पर्यंत ६ दिवसाची वाढीव अर्जित रजा, रजेच्या पुढे दिनांक १० जुलै २०१० व ११ जुलै २०१० हे सुट्ट्यांचे दिवस जोडून मंजूर करण्यात येत आहे.

श्री. ए. ए. सईद, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ४ थे कामगार न्यायालय, ठाणे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. ए. ए. सईद, हे न्यायाधीश, ४ थे कामगार न्यायालय, ठाणे या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,

मुंबई, प्रभारी प्रबंधक,

दिनांक १८ ऑगस्ट २०१०. औद्योगिक न्यायालय, महाराष्ट्र ,मुंबई.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.— श्री. जी. एल. मसंद, न्यायाधीश, कामगार न्यायालय, धुळे यांचा दिनांक ९ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१७८.—श्री. जी. एल. मसंद, न्यायाधीश, कामगार न्यायालय, धुळे यांना त्यांच्या दिनांक ९ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ३१ जुलै २०१० ते दिनांक ७ ऑगस्ट २०१० पर्यंत ८ दिवसांची परिवर्तीत रजा, रजेच्या पुढे दिनांक ८ ऑगस्ट २०१० रोजीची सुट्टी जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्री. जी. एल. मसंद हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, धुळे या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. जी. एल. मसंद हे न्यायाधीश, कामगार न्यायालय, धुळे या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,

मुंबई, प्रभारी प्रबंधक,

दिनांक २३ ऑगस्ट २०१०. औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. सी. आर. पाटील, सहायक प्रबंधक, औद्योगिक न्यायालय, सोलापूर यांचा दिनांक ४ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३१७९.—श्री. सी. आर. पाटील, सहायक प्रबंधक, औद्योगिक न्यायालय, सोलापूर यांना त्यांच्या दिनांक ४ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ९ ऑगस्ट २०१० ते १३ ऑगस्ट २०१० पर्यंत एकूण ५ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक ८ ऑगस्ट २०१० व रजेच्या पुढे दिनांक १४ ऑगस्ट २०१० व १५ ऑगस्ट २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. सी. आर. पाटील, हे रजेवर गेले नसते तर त्यांची सहायक प्रबंधक, औद्योगिक न्यायालय, सोलापूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. सी. आर. पाटील, हे सहायक प्रबंधक, औद्योगिक न्यायालय, सोलापूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक २३ ऑगस्ट २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. के. आर. देवसरकर, सदस्य, औद्योगिक न्यायालय, अमरावती यांचा दिनांक २४ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३२७६. —श्री. के. आर. देवसरकर, सदस्य, औद्योगिक न्यायालय, अमरावती यांना त्यांच्या दिनांक २४ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २ सप्टेंबर २०१० ते ४ सप्टेंबर २०१० पर्यंत एकूण ३ दिवसांची अर्जित रजा मंजूर करण्यात आली आहे.

श्री. के. आर. देवसरकर हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, अमरावती या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. के. आर. देवसरकर हे सदस्य, औद्योगिक न्यायालय, अमरावती या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक ३ सप्टेंबर २०१०.

IN THE INDUSTRIAL COURT, MAHARASHTRA, MUMBAI

BEFORE SHRI R. B. MALIK, PRESIDENT, INDUSTRIAL COURT
MAHARASHTRA AT MUMBAI

COMPLAINT (ULP) No. 434/2009.— Shri Sandeep Nakti, C/o. Maharashtra Navnirman Kamgar Sena, Arjun Khotachi Wadi, Ground Floor, Parking Plaza Building, Dadar (West), Mumbai 400 028—*Complainant.*— *Versus* (1) M/s. Godrej and Bouce Mfg. Ltd., (2) Mr. Dara E. Byramjee, Vice President and Businass Head Security Solutions Division, (3) Mr. G. R. Dastoor, Sr. General Manager, (Indl. Relations) All having Address at :—Regd. Officer Godrej and Boyce Mfg. Co. Ltd., Phirojshah Nagar, Vikroli, Mumbai 400 079.— *Respondents.*

In the matter of Complaint of unfair labour practice under
items 1(*a*) of Schedule II and Items 3, 5, 9 and 10 of Sch. IV of the MRTU and PULP Act, 1971.

CORAM.— R. B. Malik, President,

Appearances.— Shri Mahesh Shukla, Ld. Advocate for the Complainant,

Shri B. G. Goyal, Ld. Advocates for the Respondents.

Oral Judgement

(Dated the 17th August 2010)

1. The Complainant a skilled workman, having been transferred from Mumbai to Guwahati hereby alleges *malafides* in the move of the employer and complaints against what he perceives to be unfair labour practice for which he invokes Section 28(1) and 30 read with items 1(a) of Schedule II and Items 3, 5, 9 and 10 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevenstion of Unfair labour Practices Act 1971 ("Act" hereinafter).

2. The case of the Complainant is that the employer company is engaged in the business of manufacturing toilet products, steel products, interior and electronic items and is in the field for more than 80-90 years. The Complainant took up the employment in Plant No. 17 at Vikhroli in this Metropolls in the year 2001 in Paint Division and was then deputed at Security Solution Division, Vikhroli since 11th July 2009. A copy of the letter of appointment has been annexed to the Complaint. It is further averred in the Complaint that there are in all three Unions operating in the Respondent Company. The recognized Union is Godrej and Boyce Shramik Sangh. It is alleged that it is a puppet Union so to say. A new Union got introduced in the name and style of Maharashtra Navnirman Kamgar Sena. More than 1500 workers have already joined the said union. Correspondence was exchanged in that behalf. It is alleged that from the month of February 2009 eversince the move to have a new union came to the force, the employers had been targeting those that were so minded as to shift their allegiance to the new union and transfer orders effectively transferreing them to far off places in the States of Kerala, Punjab, Bihar, etc. came to be issued. The Complainant himself was shifted from Paint Division to Security Division of plant No. 17 on 11th July 2009 and by an Order of 9th September 2009 he came to be transfer to Guwahati asking him to get relived immediately so as to join there at Gauhati on 19th September 2009. No reasons have been assigned for effecting the transfer to such a far off place. No details have been furnished in that behalf.According to the Complainant, the Order of appointment does not provide for such a transfer. It has been set out in various ways that the Order is such as to run into the teeth of the items above referred to and amounts to unfair labour practice. Therefore the relief of declaration and the consequential relief of an Order of restrant from effectuating the said Order and quashing it is sought.

3. The affidavit in reply to the Application for interim relief Exhibit C-2 was treated as Written Statement. It was filed by Mr. Godrej Rustom Dastoor, Senior General Manager (Industrial Relations). It is denied that any unfair labour practice was indulged in by the Respondents. According to the Respondnets, the impugned Order of transfer arose out of exigencies of business needs and requirements thereof. It fully accorded with the relevant stipulation in the letter of appointment. In effect, it is the case of the Respondents that there being no *malafides*, the impugned Order is immune from judicial intervention. It is pointed out that the Complainant has not reported

at Guwahati and apparently it is the case of the respondents that therefore the present Complaint would be on infirm legal action so to say. It is further averred that the worker strength the establishment is 4500 and there have been legal, valid and subsisting settlements between the employers and the recognized union. The Respondents have branches and establishments spread over the length and breadth of this country and therefore the transfers of the employees become necessary. In the years 1999, 2000 and thereafter transfers came to be effected. In para 3(*1*) 17 such instances have been set out. 10 employees were transferred in 1999 to places like indore, Ahmedabad, Calcutta, Hydrabad, Pune and Banglore. 4 employees were transferred to Pune,Chennai, Guwahati and Delhi in 2002. One employee was transferred in 2007 to shirwal and two employees were transferred in 2009 to Ahmedabad and Pune respectively.According to the Respondents whenever the employer-recognized union settlements have brought in their wake the benefits, all the employees regardless of their union affillation have taken advantage thereof and that being the state of affairs there is no cause for grivance and the Order of transfer herein challenged is fully in accordance with law and is immune from Judicial intervation.

4. This Court was moved for interim Relief. While deciding the said Application, by my Order dated 16th April 2010. It was directed that the Complaint iteself would be taken up for final disposal and subject to the co-operation of the parties, a self-imposed deadline was fixed as 31st August 2010. The issues were framed at Exhibit O-2 on 7th June 2010. I have noted them down below together with my findings and reasons thereof :—

Issues	*Findings*
(1) Whether the Complainant proves that the Order of transfer in the context of the facts such as they are amounts to unfair labour practices ?	Yes.
(2) Whether the Complainant proves that the impugned transfer order was actuated by the legitimate trade union activities legally undertaken by him so as to vitiate the said order of transfer ?	In effect-Yes.
(3) Whether the Respondents prove that the impugned order of transfer is normal and official transfer free from the vices Suggested by the Complainant ?	No.
(4) Whether the Complainant makes out a case for grant of reliefs such as it is sought ?	Yes.
(5) What order ?	The Complaint is allowed. The impugned Order of transfer is quashed. The Operation of this Order is stayed for six weeks from today. See the Order made below.

Reasons

As to Issue Nos. 1 to 5.—

5. This is a matter where the employer-employee relationship interparts is an admitted position. The employers are M/s. Godrej and Boyce manufacturing Company Ltd. Their business activities are varied and many such as manufacturing of toilet products, steel products like locks. Iron safes, furniture, interior and electronic items, etc. They have got business establishments through the entire length and breadth of this country. The places where they have their establishments include Mumbai, Indore, Ahmedabad, Calcutta, Hydrabad, Pune, Bangalore, Chennai, Delhi, Shirwal and Guwahati. The Complainant has been admittedly transferred from Mumbai to Guwahati which is why he has filed this Complaint.

6. It is again an indisputable factual position that in the establishment of the employers, Godrej and Boyce Shramik Sangh is recognized union. Now the Complainant and others whose number he claims is substantial have apparently formed another Union by the name of Maharashtra Navnirman Kamgar Sena. This will be described as "the new Union" hereinafter. The fact that this new Union has come into being as a fact is established. In the evidence this fact is per-se not disputed. Infact it was the case of the Respondents that none of their actions is influences by the formation of any such union and in stoutly defending himself against the allegations in the Complaint. Mr. Goyal pointed out that the allegations that the members of the new Union have been signled out for sepcial treatment to their determent are incorrect because atleast 3 office-bearers of the said new Union have not been transferred. It is therefore, very clear that the existence of this new Union per-se as I mentioned above is not in dispute. For the purposes hereof beyond that nothing else in that behalf is relevant. The scope of this Complaint does not require this Court and I do not therefore feel judicially called upon to express any opinion about the claims and counter claims of the competing unions with regard to the number of workers that owe allegiance to them. It is also clear from the record that there have been settlements in accordance with law between the employers and the recognized union and wherever those settlements brought in their train the benefits to the employees, all the employees gained thereby regardless of their union affillations their profession to the contrary not withstanding. It is also a very clearly established fact that the new Union is not a recognized Union as the said term is understood by law.

7. It is an indisputable factual position that as far as the Complainant is concerned, he is an active member of the new Union. By an Order dated 9th September 2009 (Exhibit U-23) he has been transferred to Guwahati in far North-East in the State of Assam. The transfer order is under challenge herein. It is specifically mentioned therein that the transfer was being effected on account of exigencies of Company's work and business needs. He was directed to lay down the charge as it were immediately and report at Guwahati on 19th Septmber 2009. It is admitted on both sides that the Complainant has not reported at Guwahati and infact on12th October 2009 he filed this Complaint. It is a matter of some significance that by a communication of 20th January 2009 which is at Exhibit U-26, the formation of the new union was intimated to the employers. The various office-bearers named there were 10. The Complainant has been shown at Sr. No. 7 as a member. Now it is more or less an admitted position that the President, Working President, General Secretary, Treasurer and 3 members including the Complainant have all been transferred. It seems that the Vice-President Shri Sanjay Rane was also transferred, but it is not clear as to what was the ultimate position in his case. Two members S/Shri Satish Shirke and Ravindra Mirgal were not transferred. Therefore, it appears quite clearly that a large number of those that were the office-bearers of the new Union have been transferred. The record also shows that a number of transfer orders came to be issued at the time more or less in close proximity with the transfer under challenge herein and various Complaints are pending in different Industrial Courts. In some instances the mattrs were carried by way of Writ Petitions from the Interim Orders before the Hon'ble High Court and infact it was because of one such Order made by the Honble High Court that while hearing the interim Application in this matter, I decided to hear this Complaint once and for all.

8. Now in the backdrop of the above discussed facts, the case of the Complainant is that regard being had to the post and position that he holds the transfer order is not a genuine exercise of administrative powers and is a manifestation of the irk caused to the employer on account of his legitimate trade union activity.Further it has not been made clear as to what was the work he was supposed to do there at Guwahati if one were to go by the Order of transfer *exfacie* and he had not been imparted any training as such. Now as far as the employers are concerned, according to them the power to transfer flows from the expresslanguage of the letter of appointment which I shall presently refer to. It is their case that the impugned Order does not suffer from *malafides* and is a legitimate exercise aimed at administrative betterment and is a response to the administrative exigencies. It is also pointed out atleast at the stage of what can be described as 'pleadings' that the Complainant having not reported for work at Guwahati could not have in the first place brought this Complaint and on that count alone the Complaint was liable to be thrown out in limini.

9. Now as far as the last mentioned point is concerned,other factors remaining constant and subject to the discussion on merit apart going by the mandate of our Hon'ble High Court in the matter of *Press Trust of Indis Ltd. and anr. v/s. Press Trust of India Employees Union (Western Region) and anr.-2002 III CLR879(Bom.).* the Complaint brought by an employee without reporting at the transferred destination is per-se not a factual lacuna.

10. Proceeding further, the next question would be as to whether the power to transfer vests in the employers. If there is one golden thread that smoothly runs across the case law cited at the bar by both the parties, it is that if the employer has to sustain his order of transferring the employee in the circumstances like the present one, then the basic requirement would be that in the contract of service, the power to transfer must be capable of being located. Now in this particular matter in the form of a letter of appointment at Exh. U-22, there is a written contract of service and therefore the academics of the matter need not detain me at all.

11. *Vide* Exh. U-22 dated 4th May 2001, the Complainant came to be appointed on what has been described as hourly-rated workman w.e.f. that very date. Clauses 1 to 4 are not germane herefor. Clause 5 lays down that initially and till further notice the Complainant's name will be on the factory establishment which should perhaps mean that area of his activities would be within the factory establishment here in this Metropolis. Clauses 6 and 7 need to be reproduced.

> "6. You may be called upon to work at any of the Company's Establishments in Mumbai City or Greater Mumbai without any extra remuneration or compensation whatsoever.
>
> 7. You may also be called upon to work at any of the Company's Establishments within the territories of India and/or to undertake tours or other assignments in connection with the Company's business. You will be eligible for travelling expenses and other allowances according to the rules for the time being in force."

12. Now a conjoint reading of the two clauses above quoted would in my view make it very clear that the employers had a power to transfer the employee concerned. It was quite clear from the submissions at the bar as well as the evidence that according to the Complainant what could be legally and legitimately done by the employer was only to send the employee on tours or on assignments, but the power of transfer does not low from the said two clauses. Now regardless of the ultimate outcome hereof in so far as this aspect of the matter is concerned, I am unable to agree with the interpretation sought to be accorded thereto by the Complainant. Very pertinently Clauses 6 and 7 made seperate provisions for the movement within and outside this metropolis. Had there been an inherent right in the employee to remain stationed in Mumbai only, then there was no real occasion for him to agree for clause 7 to be there. Clause 7 makes it very clear that he could be "called upon to work at any of the Company's establishments within the territories of India". These words admit to their natural interpretation and meaning being accorded to them and in my opinion even as they could have been safely substituted as one word "transfer", but then English after all is a tool of expression and the draftsman though it fit to express himself in the manner he did which was accepted by the employee. In the context, It was clear that when Clause 7 spoke about the employee being called upon to work at any of the Company's establishments, it quite clearly amounted to conveying that he was liable to be transferred. Now this becomes further clear when one refers to the word "and/ or" which are followed by the words "to undertake tours or other assignments". Now had there been substance in the interpretation of the Complainant, then there was no real justification for mentioning the earlier sentence which in effect meant that the could have been called upon to work at Company's establishment and the only words with regard to tour or other assignments would have been adequate and sufficient and they would have given a clear inkling that the employee was to be Mumbai-based always during the subsistence of the employment and he could only have been sent on tours. In my view the plain language admits to the plain meaning being accorded and no sentence from any clause could lightly be presumed to be either a dead letter or superfluous or unnecessary. The judicial endeavour would be to read the said clause as a whole and to make sure that natural interpretation, on a plain reading is accorded by exercising the all to familiar tools of interpretation of agreements.

In my opinion, therefore the two clauses read as a whole would make it very clear that the employee was liable to be transferred within the Metropolis as well as outside the Metropolis. While outside the Metropolis he could have been sent on transfer which is what is exemplified by the word "called upon to work at....." and also while being Mumbai-based he could have been sent on short tours. This to my mind is the only plausible interpretation that can be accorded to the two clauses that are relevant for the purposes hereof.

13. Mr. Goyal, the Ld. Advocate for the Respondents further contended that in the settlements some of which have been filed on record between the employers and the recognized union, there was a clear provision whereby the employees could be transferred. It is indeed so. I think it must also follow that inasmuch as legally the recognized union has a clear primacy and the settlements have got legal efficacy this submission of Mr. Goyal is not something that can just be ignored or glossed over. Infact for all one knows regardless of Union affiliations or dispositions even those that are not the members of the recognized union would be bound by these settlements.

14. That being the state of affairs, on a plain reading of the relevant clauses of the appointment order, I hold that thereunder the Respondent employers were empowered to transfer the employees which undoubtedly include even the present Complainant. Therefore, if on facts the Complaint succeeds that would be for reasons other than the alleged absence of power of the employers to effect transfer. Infact I hold for the existence of such a power.

15. I may now turn to the Order of transfer which is the one under challenge herein. It is at Exh. U-23 and is dated 9th September 2009. As already indicated hereinabove while it does mention that the transfer was being effected on account of exigenxies of Company's work and business needs and requirements, it does not specifically set out the precise work that the Complainant was supposed to do at Guwahati. The order opens with the recitals that the Complainant was a hourly-rated skilled category workman in the Security Solution Division. In this behalf the case of the Complainant has been that for better part of his carrer, he had been working in what has been working in what has been described as Paint Section. Then in the Order of Transfer, there are following recitals "You will be imparted requisite training. If found necessary, in order to equip/familiarize you to carry out the work assigned to you".

16. Before proceeding further be it noted that Mr. Goyal, the Ld. Advocate for the Respondents strongly relied upon these recitals to contend that all the hue and cry about the oppression in or victimization raised by and on behalf of the Complainant on the ground of expertise in the work that he would be doing at Guwahati was clearly futile because in case of need, requisite training could always be imparted to him. Now without getting drawn into the niceties and technicalities of the matter, I think Complainant was supposed to do at Guwahati was the work pertaining to the safe deposit lockers and service in that behalf. According to the Complainants this is a work he is not familiarized to the Complainants with and as I shall be presently pointing out on behalf of the Respondents there is no concrete evidence in this behalf.

17. I may now turn to the oral evidence. But I must make it very clear that the indisputable factual positions that have already been discussed hereinabove must be borne out in mind. The complainant has mentioned in the affidavit of examination-in-chief that he was employed in the Plant No.17 at Vikhroli in 2001 in Paints Division and was then shifted to Security Solution Division on 11th July 2009. He has then given out the details of his trade union activities and alleged as to how the employers were so minded as to oppress him and those like him in a manner actuated by oblique motive. He has specifically mentioned that this move started from February 2009. He has further mentioned that the order of transfer does not set out specific reasons therefor. Further the said Orders were issued in the middle of the academic year and his children were adversely affected thereby. In the cross-examination he admitted that as on 14th April 2002 he was working in Appliances Division of Respondent No.1 and that he was transferred to Security Solution Division, Plant No.17 in 2004-05. It further becomes clear from his evidence that Plant No.5 where he was earlier working itself was shifted to Mohali in Punjab. It was suggested to him that several employees were transferred from the Process Divisions from Vikrholi to several places. According to him, he was not aware thereabout. In para 20 a suggestion was given to him that while he was

in Plant No. 17 he was given training in the repairs of safe deposit lockers. He denied the suggestion and volunteered that he would be sent there only to watch the same. Now before proceeding further, I think some discussion will be perfectly in order in this behalf. Going by the rival cases and without meaning any disrespect either to any person or cadre, It seems quite clearly that the Complainant was not one of the highly placed Officials. He was a workman and his career details from time to time have clearly appeared in evidence. Now even if he was appointed as a skilled worker, the employer's own suggestion in para 20 is that some training was necessary to be given to him in the matter of safe deposite lockers and that was a suggestion given to him. In the cross-examination of Mr. Dastoor, the only witness examined by the employers, also the movements of the Complainant within the organization have been set out. Although in para 7 in the examination-in-chief, the said witness has mentioned that while effecting transfer, the Complainant was informed that he would be required to carry out the duties relating to service calls for repairs of safe deposite lockers, pertinently while there was reference to the requirement that he should report to Guwahati Branch to take further instructions, the order of transfer made no reference at all of the details of the duties that he would be required to carry out there. Now I am quite conscious of the fact that in this class of litigation, the Court does not have to adopt an unreallstically rigid standard of evaluation of evidence, but then the fact remains that the process of evaluation of evidence must not become artifical or lop-sided. If that be so, then it is very clear that there was a belated awakening in the camp of the employers with regard to the significance of the details of the work that the Complainant would be doing at Guwahati and they cannot now the permitted to say that the whole thing was so innocuous as to be left to the uncertainities of "training if necessary, etc." Now in para 21 in Mr. Dastoor's cross-examination he has clearly admitted that no document was filed to show that the Complainant was trained for the job that he was supposed to be doing at Guwahati. Now Mr. Dastoor is a high renking official being a Senior General Manager and infact he has clearly mentioned that he did not personally know the Complainant and he even would not be able to recognize him. Now in this background Mr. Mahesh Shukla, the Ld. Advocate for the Complainant told me that if there was a regular training imparted to the Complainant as a step-in-aid to effect his transfer, then it is not possible to believe that there was no document as such to evidence the same. As to this submission of the Ld. Advocate, I find that the process of evaluation of evidence in the first place has to assess whatever evidence is there on record and therefore it cannot always become so lame as to insist on proof of a fact by documents only. However, that is only one aspect of the matter. In the context of the fact component at issue hereto relevant, the significance of some training is not something that can now be made light of even by the Respondents also. Here one has to examine as to whether the Order of transfer was vitiated by the vice of malice. I may have to examine this aspect of the matter to the extent necessary presently, but then malice is not a tangible object and in the given set of circumstances from the proved facts, the Court has to draw legally permissible inferences and if that be so, then in the context of these facts, in my view, the fact of imparting of training as a prelude to effecting the transfer is not so innocuous as is sought to be made out by the employers. Even if there was no document there could have been evidence of some one who might have actually imparted the training to the Complainant, but there is no evidence other than the evidence of a Senior Officer adduced by the Respondents who as already mentioned above does not even personally recognize the Complainant. That being the state of affairs, I am very clearly of the opinion that the fact that the training in operating the lockers was imparted before hand to the Complainant was significant and not only that but from the cross-examination of the Complainant himself it becomes very clear that this necessity was acknowledged and recognized by the employers, but they have failed to prove it by cogent evidence that they did impart it.

18. Now it is no doubt true that the one that alleges malice has to make good his case by pleading and evidence, but then this being essentially a non-criminal matter, the degree of proof is not proof beyond reasonable doubt, but it is preponderence of probabilities. The onus gets displaced and if on such displacement the adversary is found wanting and betrays the state of having been caught napping, then in my view, the legal consequences must follow. I must therefore hold that the evidence on record does not permit a finding that any training was imparted to the Complainant in the matter of operating the lockers.

19. Proceeding further in the cross-examination of the Complainant, it has been brought about that he had no objection to go anywhere on tour. Further it has been brought about in his cross-examination that Lalit Chandra Panchal and Sanjay Pandit Muley were the members of the recognized union and they then became the members of what has been described as the Union of Datta Samant and the Union of the Complainant. Now as far as these two gentlemen are concerned, the evidence of the Complainant comprising the depositions of himself and his witness Shri Mahadeo Anant Naik and also the other evidence on record would show that these two gentlemen were transferred in the months of July and August last year to Ahmedabad and Pune. According to the Complainant, theirs was an instance of request transfer, while according to the Respondents that was an instance of routine transfers. The evidence on record to the extent it is relevant for my present purpose is that they were transferred last year to Ahmedabad and Pune. There is no concrete evidence with regard to the fact as to what was the nature of their work here in Mumbai and what was it that they were doing at the present place of posting. One aspect of the matter is very clear that if by and large and generally so speaking they were so similarly placed as the Complainant himself then they were after all transferred to Pune and Ahmedabad and the distance from Mumbai to these two stations is much much lesser than that between Mumbai and Guwahati. I do not think beyond that it is necessary for me to delve into the facts pertaining to those two employees.

20. Concluding his cross-examination, suggestions were given to the Complainant that his transfer to Guwahati was necessitated because of business exigencies and because he was a skilled employee. That was the sum and substance of the evidence of Mr. Dastoor as well. The Complainant, however, denied those suggestions.

21. The Compalinant examined one other witness Shri Mahadev Anant Naik. He is a colleague of the Compalinant and was working as Charge Hand Setter Operator in interio Plant IV. He has mentioned in his affidavit of examination-in-chief that the Complainant had been transferred only with an intention to break the new Union. This witness was also transferred to Guwahati on 21st August 2009 and according to him he was also an active member of the new Union. He was apparently joined there, but from para 5 of his affidavit of examination-in-chief, it would appear that according to him he was on tour of 21 days of the period set out therein. While at Guwahati he was on deputation at Vendor's site "Ahura Mazda Metal Forming". However , according to him, he was made to sit idle and no work was provided to him. Now whatever facts have already been discussed including the clauses in the letter of appointment were spoken of by him, but it is not necessary for me to again delve into that aspect of the matter. In the cross-examination of this witness, he admitted that he became aware that in past several employees of the Respondents have been transferred, but this fact became known to him only from the list supplied by the Respondents themselves. I shall be presently pointing out from the evidence of Mr. Dastoor that the number of employees transferred in the past is not all that much regardless of whatever answer this witness may have given. As between the two in that behalf, Mr. Dastoor is the better qulaified witness to to testify thereabout talk about. He admitted to have worked at Guwahati, but qualified it by saying that he was sent on tour. Now he has admitted that he himself has filed a similar Complaint being Complaint (ULP) No. 414/09 which was pending in the Industrial Court. The Respondents herein have filed a huge bunch of documents in that particular Complaint to show that the said witness was given work there at Guwahati the copies of which documents are at Exh. C-21 Colly. The sum and substance of Mr. Goyal's arguments in this behalf was that when this witness reported for work at Guwahati work was assigned to him and not only that, but letters of appreciation were also issued in his favour. The witness maintained that he had never been appreciated. It has further been elicited in his cross-examination that atleast two or may be even three office-bearers of the new Union have actually not been transferred.

22. Now in so far as the above discussed evidence is concerned, it is very clear that the transfers came to be effected from the beginning of the year 2009. In my Order on the Interim Relief Application also had noted this fact. It is no doubt true that as a principle of law the employer

has got a right to effect transfer and unless it was a move vitiated by absence of legal right flowing from the contract of service or was bad for the presence of either malice in fact or malice in law, then the Court would be slow in exercising jurisdication in the matter of judical review of administrative decisions to interfere with the transfer orders. In this behalf I shall be referring to case-law. However, one aspect of the matter is very clear that while there may be inherent limitations in the powers of the Court in the matters relatd to the transfer, but then no authority lays down that the Court has no power at all. The manner of exercise of power is one aspect of the matter, but the Court certainly is not an Institution to be moved only to stamp approval on the transfers effected by the employer even when the Order appears to be failing on the legal anvil. I may have to make some elaboration in this behalf when I discuss the case-law, but here itself I can safely mention that just because three of the ten office-bearers of the new Union were left untouched that by itself is no guarantee of the absence of vitiating circumstances in the Orders of transfer.

Adjourned for Recess.

will not be congruous on my part to make any comment thereabout. I may only mention that I have examined that aspect of the matter from the point of view of Whether it effects either way the outcome of the present matter. Mr. Goyal wanted to rely upon Mr. Naik is case in order to butterss his contention that just as Mr. Naik has been given work there at Guwahati, so also the Compalinant would have got it had he gone there and reported for work. Mr. Goyal obviously wanted to rely upon the bunch of documents to show that Mr. Naik had been reporting for duties at Guwahati. I shall not make any detailed comment thereabout save and except that the facts pertaining to Mr. Naik do not support the case of the Respondenta *vis-a-vis* the present Complainant before me. I would scrupulously and studiously avoid making any observation about the bunch of documents presented in this matter to show that Mr. Naik has been working at Guwahati and that he has been receiving the letters of commendation.

23. The above discussion would therefore make it very clear that the evidence makes it absolutely clear that not till early last year did it occur to the employers that the Complainant was better suited to a far off place like Guwahati. That was a period when admitteddly the new union came into existence and I have already mentioned above that a number of office-bearers of the new union suffered the orders of transfer. Three of them were not transferred., but then other factors remining constant in order to provide a particular act a colour of genuineness and credibility, it is not unknown that a few from a larger group are singled out from retention. That by itself would not be a pointer to the complete genuiness in this behalf in the act of the Respondent employers.

24. In the evidence of Mr. Dastoor, the only witness examined by the employers, one finds that from 1999 till 2009 17 employees were transferred. In para 3 of his examination-in-chief Mr. Dastoor has deposed that there were 4500 permanent workmen in their emply. Now in the year 1999, 10 employees came to be transferred to the places like Indore, Ahmedabad, Calcutta, Hyderabad, Pune and Bangalore. For three years thereafter there were no transfers. In 2002, 4 employees were transferred to Pune, Chennai, Guwahati and Delhi. Then again for five years no transfers were made and in 2007 only one employee was transferred to Shirwal. In 2008 there were no transfers and then in the year 2009 as per the examination-in-chief of Mr. Dastoor, Mr. Panchal and Mr. Muley were transferred to Ahmedabad and Pune. Thereafter as already mentioned above there was almost a spree of transfers of employees owing allegiance to the new Union. Similar Complaints are pending and some matters were carried to the Hon'ble High Court from the Interim Orders. Therefore if the transfers from Mumbai to elsewhere are examined, the chart just discussed would show that for better part in the past the transfers are few and far between. There are companies and employers who effect regular periodical transfers and why infact the Government service is the best illustration of this aspect of the matter. But then if the evidence on behalf of the Respondents is anything to go by, they have not been regularly transferring the employees. Studing this aspect of the matter alongside my finding on the issue of evidence on

behalf of the Respondents is anything to go by, they have not been regularly transferring the employees. Studying this aspect of the matter alongside my finding on the issue of whether the condition of transfer inhered into the contract of service on which fact at issue I have found for the employers, the net factual deduction is that though the employers are armed with the power to effect transfer, but actually and in actual practice the trnsfers have been few and far between and therefore if almost all of a sudden a number of employees that came to be transferred early last year was almost equal to half of the total transferred employees in a decade and that coincided with the formation of the new Union, then unlees it was satisfactorily explained away by the employers, I think I must refuse to accept it *exfacie* and as a mere coincided. I have already discussed above the fact that the evidence on record does not permit a finding that the Complainant was given training in the matter of safe deposit lockers. It is not necessary to repeat that all over again. In para 22 in his cross-examination Mr. Dastoor amitted that there was no document to show that the Complainant answers the eligibility criterian for transfer. He was then cross-examined on the facts pertaining to Mr. Panchal and one more who according to the Complainant are now an employer friendly employees. That aspect of the matter has been dealt with hereinabove.

25. At this stage, it will be appropriate in my view to refer to the case-law. Thereafter the conclusions could be summarized. Mr. Shukla relied upon Bajaj Auto Limited *v/s.* Shrikant Vinayak Yogi and ors. 2006 II CLR 614 (BOM.) That was matter where the transfers were effected out of the place of initial employment and they resuited in sending the employees all over the country. There were allegations that the Institution of Contractors was gaining foothold at the expense of the permanent workmen. Now in so far as the scope of the jurisdication of this Court in such matters, I think paras 24 to 27 from Bajaj Auto (supra) need to be fully reproduced.

> "24. Before considering the allegations, counter allegations and legality of the impugned order, it would be necessary to consider jurisdication of the Courts in interfering with the orders of transfer of the employees by the employers emerging from the various cases cited at the bar. It cannot be disputed that the employer has right to transfer its employee. An employee accepts employment fully knowing that he is liable to be transferred from one place to other for administrative reasons and in the interest of the employer. This is one of the Conditions of service. No employee can demur or cavil at an order of transfer. It is only when an order of transfer is made otherwise than for no administrative reason and in the circumstances amounting to punishment or with *mala fide* intentions. That the transfer order gets exposed to challenge.
>
> 26. As already stated, an employee, normally cannot complain about his transfer in Court. In deciding the question as to what was the motive operating in the mind of the employer while passing the order of transfer, one has to look into the circumstances under which the order of transfer was passed. If the dominant motive of the employer was to punish the employee, the transfer is bad. If it was to ensure efficiency in administration, the transfer has to stand.
>
> 27. If the order is really intended as a punishment, though apparently innocuous, it will be open to the court to consider whether the order is vitiated either by *mala fides* or by non-compliance of the principles of natural justice, if attracted.
>
> 28. The right to transfer an employee is a powerful weapon in the hands of the employer. Sometimes it is more dangerous than other punishments. Recent history bears testimony to this. It may, at times, bear the mask of innocuousness. What is ostensible in a transfer order may not be the real object. Behind the mask of innocence may hide sweet revenge, a desire to get rid of an incovenient employee or to keep at bay an activist or a stormy petrel. When the Court is altered, the Court has necessarily to tear the veil of deceptive innocuousness and see what exactly motivated the transfer. Any Court is expected to get satisfied that the real object of transfer is not what is apparent, exaine what exactly was behind the transfer."

It is observed by His Lordship in para 31 relying upon the judgement of the Hon'ble Supreme Court in the case of Kedar Nath *v/s.* State of Punjab (1979 All Serv. L. J. 105) that in considering the allegations of *malafides*, the Complainant has to prove *malus animus* indicating that the action was actuated either by spite or ill will against him or by indirect or improper motives.

29. In *C. Prabhakaran v/s. Southern Petrochemicals Industries Corpn. Ltd., New Bomaby-2001 II CLR 272(Bom.),* the concerned employee was transferred at various places from down South in Madras to atleast two places in Gujarat and His Lordship was pleased to hold that if it appeared to the Court that the transfer was effected for extraneous reasons, then such a move would fail to pass muster with the Court. Mr. Shukla then referred me to *Press Trust of India Ltd. and anr.* v/s. *Press Trust of India Employees Union (Western Region) and anr.-2002 III CLR 879 (Bom.)*. There also on facts it was clear that the employees belonging to a particular Union were being singled out for "special treatment". One of them was transferred from Mumbai to Shimla. The observations of His Lordship in para 10 would make it clear that in those set of circumstances, a case even for interim relief was made out.

30. Mr. Shukla relied upon *Priscy D' Souza and ors. v/s. Indamer Company Pvt. Ltd. and ors.-2002 III CLR 490(Bom.).* I may as well not go into the details of that matter because Mr. Goyal has placed on record a judgement of the Hon'ble Supreme Court in the matter between Indamer Co. Ltd. and Pricy D'Souza (Ms.) and ors.-2004 II LLJ 17(S.C) where the judgement of our Hon'ble High Court came to be reversed by the Hon'ble Supreme Court. I presume that Mr. Shukla was not aware of this aspect of the matter.

31. Mr. Shukla then relied upon *Darakshan S. A. Shaikh v/s. State of Maharashtra and anr.-2008(1) MH.L.J 807 (Bom. D. B.).* In so far as the facts are concerned, there the transfer within this metropolis of the Petitioner of the Hon'ble High Court was found to be such as not to be taken exception to. However, the principles laid down *interalia* are that while effecting transfers, the move of the employer must be informed by fairness and absence of arbitrariness and *malafidas*. In other words, if these vices were found present, then such a transfer could not come true on the anvil of judicial review of administrative decisions.

32. In *Brihanmumbai Union of Journalists and ors. v/s. Nav Bharat Press Ltd. and anr.-2002 II CLR 67 (Bom.)* also there was a condition implicit in the contract of service whereby the employee could be transferred. The reading of para 9 would show however that there the transfer was to a post which was non-existent. The above discussion in the present set of facts would show that atleast to a certain extent the Complainant can seek parity with the employees in that matter. Here it is not at all clear as to what precise work he was to have been offered at Guwahati. I must make it very clear that it is principles emanating from the case law that are relevant and even if the factual scenario is not exactly similar, the Court will have to apply the principles. Regardles of my ultimate factual finding herein, I am afraid Mr. Shukla can draw no sustenance from Crest Communication Ltd. and ors. *v/s.* Ms. Sheetal Shenoy-2001 II CLR 1036 (Bom.) because in that matter the contract did not provide for transfer and His Lordship was pleased to hold that in the absence or consent or the employee he could not be transferred.

33. Mr. Goyal, on the other hand, invited reference to the set of authorities that as per his preception supported his arguments. He relied upon *Executive Engineer, Mechanical Division, Ahmednagar and ors. v/s. Madhav Nachari Walake and anr.-1996 (3) LLN 623(Bom.).* There in dealing with a Complaint like the present one, our Hon'ble High Court was pleased to hold that in such Complaints it is necessary for the employee to allege *malafides* under the guise of management policy and thereafter he is obliged to prove it by cogent evidence.

34. Even before proceeding further, I think at this stage itself the discussion will be in order of the question of burden of proof. It is no doubt true that in this branch of law also the general principles of law that the one that alleges must prove applies. However, as already mentioned above, this is a class of litigation which is of civil nature and the burden of proof is on the principles of pre-ponderence of probability. The fact of the matter is that the question of malice has a contextual connotation peculiar to this class of litigation and to a certain extent some elaboration will be presently made, but then once the entire evidence is before the Court, then without getting unduly detained by the abstract theory of burden of proof, the Court can evaluate the evidence to determine as to whether the ingredients that go into making or unmaking of what is malice in law are found present. A party can prove his case by his own evidence as well

as by the cross-examination of the adversary and also by the undisputed or satisfactorily proved document. If upon evaluation of this evidence, the court comes to the conclusion that the ingredients that go into making malice in law are not made out, then the Order of the transfer would be upheld. However, if the Court finds that the Order of transfer suffers from the vice of extraneous reasons as was the case in C. Prabhakaran (supra) or betrayed thinly disguised oblique motive as its driving force and consequently establishes malice as is understood in this branch of law, then there is no further "ritual" to be performed by the employee to get the impugned Order of transfer quashed. The abstract theory of burden of proof is not something that the Court would go on insisting. The principles laid down by the case law including Executive Engineer (supra) is that if the employee fails to make out a case of malice, then the Court would not for its own reason interfere with the valid exercise of power of transfer by the employer. But it is nowhere held that the Court must make the whole thing artifical and unworkable. The principle that holds that the powers of the Court in the matters of transfer have got to be exercised with circumspection in view of the inherent limitation has also to be properly understood. The Court does not superimpose its own notions of administration on the employer and if the contract of service provides for transfer and if the vitiating vices of malice and extraneous considerations, etc. are found absent, then the Court would uphold the order of transfer and just because the transfer brings in its wake the hardship to the employee and his family which is inevitable, the Could would not rush in where the employer has already treaded. But that does not necessarily lead to a situation where the Court would shut its judicial eyes even to the glaring instances of the presence of extraneous reasons and what is malice in law. The Court would not go into malice hunting where none exists, but would not gloss over the instances of malice that stare the Court to its judicial face. This in my view is the parameter which to work within.

35. Mr. Goyal has referred me to some judgements of the other Hon'ble High Courts in support of his contention. I have read them with great deference and respect. I must mention one aspect of the matter which is very important and that it that those judgements are rendered under the Industrial Disputes Act or enactments other than the Act. This Complaint is brought under the Act which is applicable only to the State of Maharashtra. In the judgements of the other Hon'ble High Courts cited by Mr. Goyal it has been held that the fact that the employee is in trade union activities would not provide him any immunity from a legitimate action including that of transfer. It has been held by the Hon'ble High Court of Rajasthan in the matter *between Kishori Lai Verma and Hindustan Zinc Ltd. and anr.-1995 II LLJ 35* that the question of trade union activity is irrelevant in the matter of transfer and that the establishment can function without the union, but the union cannot function without the establishment. Now it is very clear however that in so far as we in the State of Maharashtra are concerned, the items of the Act herein invoked specifically provide that it would be an unfair labour practice on the part of the employer to act in the manner indicated in for example in item 1 of Sch. II and item 3 of Sch. IV of the Act. If that is the provision in the law applicable to the State of Maharashtra itself, then to my mind the Court will be obliged to examine the facts from the stand point of extraneous causes or malice in the impugned order of transfer. In view of the fact that this particular law applies only to the State of Maharashtra, it is not in my view necessary to refer in detail to the judgements of the other Hon'ble High Courts.

36. Mr. Goyal then referred me to *K. B. Shukla v/s. Union of India-1979 LAB. I. C 906 (S. C).* It has been held by Their Lordships that the central Government which in that case was the employer was the sole authority to determine as to whether the exigencies of service required the transfers to be made. It was held that once the opinion was formulated the Court would be slow in interfering with the order of transfer legitimately made.

37. Mr. Goyal then referred me to *Rajendra Roy v/s. Union of India and anr.-1993 I CLR 5(S.C.).* Perusal of para 7 of the said judgement of the Hon'ble Supreme Court would make it very clear that in the absence of proof of malice the Court would not interfere with the order of transfer made by the employer. However, the principle of law enunciated by Their Lordship in concluding part of the said para needs to be reproduced:-

"It may not be always possible to establish malice in fact in a straight cut manner. In an appropriate case, it is possible to draw reasonable inference of *mala* fide action from the pleadings and antecedent facts and circumstances. But for such interference there must be firm foundation of facts pleaded and established. Such inference cannot be drawn on the basis of insinuation and vague suggestion."

38. Now when I am on this case law, it needs to be mentioned that the question of establishment of malice it is not a tangible object capable of being perceived by the human senses. It is subjective state of mind-set as it were. Its presence vitiates the action which in this case happens to be that of transfer. However, as already mentioned above, the proof of malice is a fact-specific one and the court has to draw premissible inferences from the facts established on record. This quite clearly is what has been laid down in Rajendra Roy in the above-quoted passage. Therefore, when one talks about malice, the said factor has to be studied in the context of not only the facts, but the law that is to be applied thereto. In this branch of law malice may not be the samething as for example it would be in a criminal case. Here as already mentioned above, If it is found that the action of the employer is not genuine, if it is found that it is not for administrative exigencies but is actuated by extraneous purposes and to seek an object indirectly which object cannot be directly achieved then in so far as this branch of law is concerned, it would be instance of malice as by relevant law understood it would vitiate the action of the employer of transferring the employee from Mumbai to Guwahati.

39. Now the application of the above-discussed principles to the present facts would show that the unusual and sudden awakening to the utility of the complainant more at Guwahati than at Mumbai in the early months of the last year is not something that is so innocuous as is sought to be made out on behalf of the Respondents. The fact that that act was almost imultaneous to the attempts to establish the new union is not something that the Court can turn a blind eye to. If that was so, then to my mind. It would be a case of malice as is understood in this branch or law. It would be an unsupportable action if it was even for an extraneous object. It is no doubt true that the legal principle is that in the matters of transfer, the writ of the employer is supreme, but as indicated hereinabove, the Court is not there just to put a seal of approval as a matter of course. The situation that bolls itself down to is that absent vitiating circumstances, the Court would not interfere with the legitimate exercise of powers of effecting transfer. The Court will not substitute its own notions for want of necessary data and administrative where with all and lightly interfere with the discretion and direction of the employer. But then if as a matter of course anything and everything that is dished out by the employer were to be blindly upheld, then the very object of the enactment of the Act would be totally defeated. In my view, if it appears to the Court that the present is not an instance of a honest exercise of power of transfer, but it is otherwise as mentioned above, the Court obviously would act.

40. I have already discussed the facts that were strenuously urged on either side. There is atleast one more factual aspect which I think will have to be adverted to. In this matter the Complaint was ripe for evidence and the copy of the affidavit of examination-in-chief of the Complainant was received by Smt. Bhatia, the Ld. Advocate for the Respondents on 24th June 2010 On 10th June 2010 Shri Dastoor, the witness for the Respondents, addressed a communication to the Complainant (Exh. U-35). The said communication was that the Complainant had been transferred to Guwahati branch and was required to report there on 19th September 2009. He had failed to comply, he filed the present Complaint, on his Interim Application no relief was granted by this Court and it was sought to be placed on record that he had not reported for work at the station he was transferred to. Now it is very clear that there was no real occasion for the employer to place on record such a communication almost on the eve of the opening of this Complaint before this court. if something which is absolutely unnecessary is done, then in the context of these facts, the conclusion is irresistible that there was a clear attempt to create evidence where none was really necessary. If it was not done, nothing would have happened. If it has been unnecessary done, then it is one more pointer of being manifestation of a nervous mindset of the employer. When one has to examine the matter on the anvil of malice and extraneous consideration, I think these are the aspects that guide the Court to form an appropriate conclusion.

41. It is, therefore clear that much I am conscious of the fact that the Court would not readily rush into interfering with the legitimate order of transfer, this I am afraid is an instances where the order is not so innocuous as is made out to be. A lowly placed employee is being sought to be moved from mumbai to Guwahati. One can understand that a highly qualified person of critical utility to the establishment could, depending upon the demands of the circumstances be easily moved from one far off place to another, but then when it comes to a comparatively lowly placed employee, the likes of whom can easily be had from the places nearer to Guwahati and instead of that if he is being tossed from far off Western metropolis of Mumbai to the extreme North Eastern Guwahati, I am afraid such a move cannot pass muster with the Court on the anvil of law. This I am afraid is an Order which is otherwise for administrative reasons and therefore is not immune even from the limited powers of the Court of judicial review of administrative actions. This is a fit case where the impugned Order of transfer must be quashed.

42. The upshot is that the impugned Order of transfer will have to be quashed and as a consequence the Complainant will have to be allowed to join duties in Mumbai. The details of the work that would be alloted to him here in Mumbai is not spelt out by me. The Respondents will be free to take an appropriate decision about what work to assign to him here in Mumbai. However, it is just possible that the Respondents would like to test this Order before the Hon'ble High Court and therefore the operation of this Order shall be stayed for a period of six weeks from today. I would therefore conclude by holding that the case for unfair labour practice has been constituted and the declaration and consequential relief will have to be made. The Issues are found accordingly and the Order follows.

Order

(*i*) It is hereby declared that the Respondents have indulged in unfair labour practice by effecting the transfer of the Complainant from Mumbai to Guwahati. They are directed to desist therefrom.

(*ii*) The impugned order of transfer which is at Exh. U-23 stands hereby quashed.

(*iii*) The Respondents are directed to provide work to the Complainant here in Mumbai.

(*iv*) The operation of this Order is stayed for a period of six weeks from today.

(*v*) The Complaint succeeds to this extent. The Respondents shall pay costs of Rs. 5000 to the Complainant and shall bear their own cost as incurred.

R. B. MALIK,
President,
Industrial Court, Maharashtra, Mumbai.

Mumbai,
Dated 17th August 2010.

K. N. DHARMADHIKARI,
I/*c.* Registrar,
Industrial Court, Maharashtra, Mumbai,
Dated 20th August 2010.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. बी. वाय. काळे, न्यायाधीश, ४ थे कामगार न्यायालय, नागपूर यांचा दिनांक २२ जुलै २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ९९०.—श्री. बी. वाय. काळे, न्यायाधीश, ४ थे कामगार न्यायालय, नागपूर यांना त्यांच्या दिनांक २२ जुलै २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ६ सप्टेंबर २०१० ते ९ सप्टेंबर २०१० पर्यंत ४ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक ५ सप्टेंबर २०१० व रजेच्या पुढे दिनांक १० सप्टेंबर २०१०, ११ सप्टेंबर २०१० व १२ सप्टेंबर २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. बी. वाय. काळे, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, ४ थे कामगार न्यायालय, नागपूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. बी. वाय. काळे, हे न्यायाधीश, ४ थे कामगार न्यायालय, नागपूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक ४ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. के. एन. धर्माधिकारी, अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई यांचा दिनांक २५ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३३१३/२०१०.—श्री. के. एन. धर्माधिकारी, अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई यांना त्यांच्या दिनांक २५ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २३ ऑगस्ट २०१० या १ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक २२ ऑगस्ट २०१० हा सुट्टीचा दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. के. एन. धर्माधिकारी, हे रजेवर गेले नसते तर त्यांची अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. के. एन. धर्माधिकारी, अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

आर. बी. मलिक,
अध्यक्ष,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक ७ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. पी. जे. मोडक, न्यायाधीश, कामगार न्यायालय, चंद्रपूर, यांचा दिनांक १९ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३३२३.—श्री. पी. जे. मोडक, न्यायाधीश, कामगार न्यायालय, चंद्रपूर यांना त्यांच्या दिनांक १९ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २१ ऑगस्ट २०१० ते २५ ऑगस्ट २०१० पर्यंत ५ दिवसांची अर्जित रजा मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. पी. जे. मोडक, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, चंद्रपूर या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. पी. जे. मोडक, हे न्यायाधीश, कामगार न्यायालय, चंद्रपूर या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक ७ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. एस. बी. पांडे, न्यायाधीश, कामगार न्यायालय, औरंगाबाद, यांचा दिनांक १९ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३३२६.—श्री. एस. बी. पांडे, न्यायाधीश, कामगार न्यायालय, औरंगाबाद यांना त्यांच्या दिनांक १९ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ३० ऑगस्ट २०१० ते ४ सप्टेंबर २०१० पर्यंत एकूण ६ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक २८ ऑगस्ट २०१० व दिनांक २९ ऑगस्ट २०१० व रजेच्या पुढे दिनांक ५ सप्टेंबर २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्री. एस. बी. पांडे, हे रजेवर गेले नसते तर त्यांची न्यायाधीश, कामगार न्यायालय, औरंगाबाद या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. एस. बी. पांडे, हे न्यायाधीश, कामगार न्यायालय, औरंगाबाद या पदावर स्थानापन्न होतील.

आदेशावरून,

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प्रभारी प्रबंधक,
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मुंबई,
दिनांक ७ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला यांचा दिनांक १६ ऑगस्ट २०१० व २३ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३३२७.—श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला यांना त्यांच्या दिनांक १६ ऑगस्ट २०१० व २३ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक १७ ऑगस्ट २०१० ते २५ ऑगस्ट २०१० पर्यंत ९ दिवसांची अर्जित रजा मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्री. के. डब्ल्यु. ठाकरे, हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, अकोला या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. के. डब्ल्यु. ठाकरे, सदस्य, औद्योगिक न्यायालय, अकोला या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक ७ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. ए. टी. आमलेकर, सदस्य, औद्योगिक न्यायालय, औरंगाबाद यांचा दिनांक २१ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३३२८.—श्री. ए. टी. आमलेकर, सदस्य, औद्योगिक न्यायालय, औरंगाबाद यांना त्यांच्या दिनांक २१ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २३ ऑगस्ट २०१० ते २५ ऑगस्ट २०१० पर्यंत एकूण ३ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक २२ ऑगस्ट २०१० रोजीची सुट्टी जोडून मंजूर करण्यात आली आहे.

श्री. ए. टी. आमलेकर, सदस्य हे रजेवर गेले नसते तर त्यांची सदस्य, औद्योगिक न्यायालय, औरंगाबाद या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. ए. टी. आमलेकर, सदस्य, औद्योगिक न्यायालय, औरंगाबाद या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक ७ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. एस. बी. पांडे, न्यायाधीश कामगार न्यायालय, औरंगाबाद यांचा दिनांक ६ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३४३८.—श्री. एस. बी. पांडे, न्यायाधीश कामगार न्यायालय, औरंगाबाद यांना त्यांच्या दिनांक ६ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक ९ ऑगस्ट २०१० ते १३ ऑगस्ट २०१० पर्यंत एकूण ५ दिवसांची अर्जित रजा, रजेच्या मागे दिनांक ८ ऑगस्ट २०१० व रजेच्या पुढे दिनांक १४ ऑगस्ट २०१० व दिनांक १५ ऑगस्ट २०१० हे सुट्ट्यांचे दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात आली आहे.

श्री. एस. बी. पांडे, हे रजेवर गेले नसते तर त्यांची न्यायाधीश कामगार न्यायालय, औरंगाबाद या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. एस. बी. पांडे, हे न्यायाधीश कामगार न्यायालय, औरंगाबाद या पदावर स्थानापन्न होतील.

आदेशावरून,

के. एन. धर्माधिकारी,
प्रभारी प्रबंधक,
औद्योगिक न्यायालय, महाराष्ट्र, मुंबई.

मुंबई,
दिनांक १८ सप्टेंबर २०१०.

औद्योगिक न्यायालय, महाराष्ट्र, मुंबई

वाचा.—श्री. के. एन. धर्माधिकारी, अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई यांचा दिनांक २५ ऑगस्ट २०१० रोजीचा अर्ज.

रजा मंजुरी आदेश

क्रमांक ३३१३/२०१०.—श्री. के. एन. धर्माधिकारी, अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई यांना त्यांच्या दिनांक २५ ऑगस्ट २०१० रोजीच्या अर्जासंदर्भात कळविण्यात येते की, त्यांची दिनांक २३ ऑगस्ट २०१० या १ दिवसाची अर्जित रजा, रजेच्या मागे दिनांक २२ ऑगस्ट २०१० हा सुट्टीचा दिवस जोडून मुख्यालय सोडण्याच्या परवानगीसह मंजूर करण्यात येत आहे.

श्री. के. एन. धर्माधिकारी, हे रजेवर गेले नसते तर त्यांची अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई या पदावरील स्थानापन्न नियुक्ती पुढे चालू राहिली असती.

रजेचा उपरोक्त कालावधी संपल्यावर श्री. के. एन. धर्माधिकारी, अतिरिक्त प्रबंधक, औद्योगिक न्यायालय, मुंबई या पदावर स्थानापन्न होतील.

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दिनांक ७ सप्टेंबर २०१०.

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